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WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. 94-50068-03

VERSUS

JUDGE DONALD E. WALTER

ALFRED LEWIS BROWN

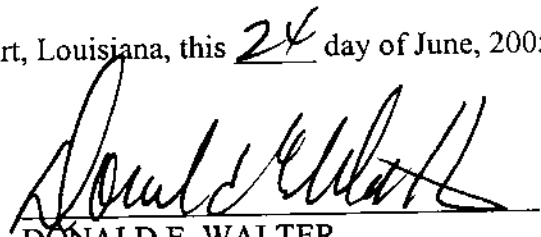
MAGISTRATE JUDGE HORNSBY

O R D E R

Before this Court is a Motion to Correct Illegal Sentence [Doc. #1129] filed on behalf of defendant, Alfred Lewis Brown, wherein defendant relies on *Blakely v. Washington*, 124 S.Ct. 2531 (2004) and *United States v. Booker*, 125 S.Ct. 738 (2005).

On January 12, 2005, the United States Supreme Court, in *Booker, supra*, held that *Blakely, supra*, applies to the Sentencing Guidelines. However, the *Booker* Court also determined that their holding would apply to "all cases on direct review." *Booker, supra* at 769. As this matter is no longer on direct review, **IT IS ORDERED** that defendant's motion be and is hereby **DENIED**.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 24 day of June, 2005.


DONALD E. WALTER
UNITED STATES DISTRICT JUDGE